

REMARKS

Claims 1-13 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

The Examiner and his supervisor are thanked for courtesy extended during the interview conducted on April 20, 2005. The undersigned substantially agrees with the summary of the interview provided in the interview summary record. However, the undersigned respectfully reminds the Examiner that, to overcome the concerns raised during the interview, Applicant's representative suggested amending the limitations in each of the independent claims regarding the generation of the failure indication pattern to indicate that the pattern was generated "only" in response to a failure occurring in the OTN. While the Examiner did not commit to allowance of the claims if that language were added, he did suggest, to the best of my recollection, that this amendment might be sufficient to define over the cited prior art. However, Applicant's representative understood that there was no commitment to this position on the part of the Examiner or his supervisor.

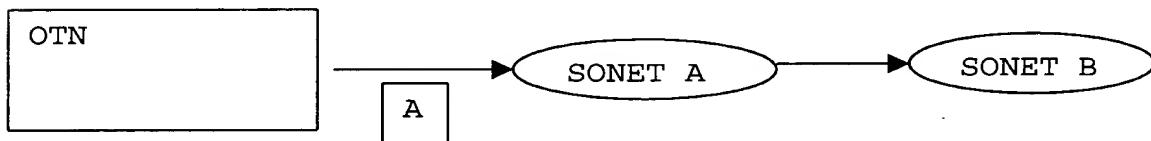
The claims have been amended in accordance with the discussions in the interview, including the specific claim

language that the failure indication detector is operative to detect a failure indication pattern generated only in response to a failure occurring in the OTN. Applicant respectfully submits that this change more clearly points out that the failure indication pattern is generated based on an OTN-specific failure. Only when the failure indication pattern is detected at the failure indication detector and an LOF defect (dLOF) indication is received from the synchronous communication equipment is a loss of frame (LOF) alarm suppressed in the synchronous communication equipment (see, e.g., claim 1).

Turning now to the rejection, claims 1, 2, 6, 7, 12 and 13 were rejected under 35 U.S.C. § 103 as being unpatentable over Brownmiller et al. in view of Afferton et al. (U.S. Patent No. 6,452,906). Claims 3-5, 10 and 11 were rejected under 35 U.S.C. § 103 over Brownmiller in view of Afferton and further in view of RFC 1595. These rejections are respectfully traversed for the following reasons.

As Applicant understands the Examiner's position, the Examiner contends that Brownmiller teaches an interface OLI between a SONET network and an OTN (termed OLS in the reference), which includes an opportunity for monitoring at the OLS network. The OLI supports aggregate fault reporting (§ 4.3.4, last bullet), including all LOF errors (§ 4.3.4.1,

second bullet) and sends a single message to report all failures. The Examiner reads that as reporting a failure at the OTN. The Examiner agrees that Brownmiller does not teach alarm suppression and cites Afferton for this teaching. Afferton is asserted to teach the use of an FIS signal instead of an AIS signal, being generated when a fault is detected. The FIS is a signal sent downstream within the SONET network, which says that a fault has been detected in an upstream element. The Examiner concludes that one of ordinary skill in the art would have found it obvious to modify Brownmiller to include the suppression of the alarm in downstream components taught by Afferton, since Brownmiller teaches aggregate reporting of failures in an OLS (OTN) and SONET network. The Examiner's position was further illustrated during the interview with reference to the following figure:



The Examiner contends that, in this configuration, according to the prior art, if a failure occurs in the OTN, the OTN sends a failure signal to the SONET A component based on the combined teachings of the cited references. Further, according to the Examiner, SONET A component knows it came from the OTN because there are no other SONET components

upstream and SONET A would send an FIS signal downstream to suppress further alarms.

During the interview, Applicant's representative explained that, according to the prior art, in this configuration, SONET A would not be able to identify whether the failure occurred in the OTN or in the link A between the OTN and SONET A, so it could not tell that the failure came from the OTN. But in applicant's invention, the failure indication signal is only generated in response to a failure in the OTN. Applicant respectfully submits that the term "only" emphasizes that feature of the claimed invention.

Applicant respectfully submits that there is no teaching in the prior art that would allow SONET A in the above example to identify whether the failure occurred in the OTN, or in the link A between the OTN and SONET A, so that it could not tell that the failure came from the OTN. In contrast, in Applicant's invention, the failure indication signal is **only** generated in response to a failure in the OTN. In the case of a failure in the link A between the OTN and the SONET, which is part of the SONET network, according to Applicant's claimed invention, a failure indication signal would not be generated and therefore the alarms in the SONET would not be suppressed. The prior art, even as proposed to

be combined in the Office Action, do not teach or suggest this capability.

In fact, if the configuration discussed by the Examiner was altered so that another SONET network was on the other side of the OTN, any failure signals sent to SONET A would not be able to, according to the prior art, distinguish whether the error occurred in the OTN or in the first SONET on the other side of the OTN. This is more similar to the configuration shown in Fig. 1 of the present application to which the invention was directed. The novel solution discovered by the inventors involves identifying a failure indication pattern, which is generated only in response to the failure occurring in the OTN, and suppressing the loss of frame alarm in the synchronous communication equipment in response to receiving both an indication that the failure indication pattern has been detected at the failure indication detector and receiving an LOF defect indication from the synchronous communication equipment. This configuration is claimed in each of the independent claims including the corresponding method claim 13. This combination is not taught or suggested by the prior art of record.

For this reason, Applicant respectfully submits that the independent claims 1, 10, 12 and 13 are patentable over the prior art of record, whether taken alone or in combination

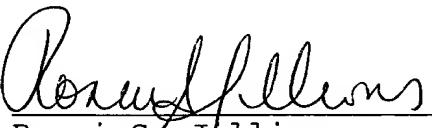
as proposed in the Office Action. Claims 2-9 and 11 are believed to be patentable in and of themselves and as they depend from and include the recitations of the independent claims from which they depend.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is now in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By 
Ronni S. Jillions
Registration No. 31,979

RSJ:tbs
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\E\eci\sommer1\Pto\2005Apr26 AMD.doc